

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, March, 18, 1925.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Temple of Hillsboro, New Hampshire.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. No. 154: An act relating to industrial banks.

S. P. No. 295: An act to amend Section 37 of Chapter 55 of the Revised Statutes, as amended by Chapter 128 of the Public Laws of 1919, relating to the approval of stocks, bonds and notes.

The following remonstrances were received and, upon recommendation of the committee on reference of bills, were referred to the following committees:

Judiciary

By Mr. Briggs of Littleton: Remonstrance of Anson R. Williams and others against repeal in any manner of the Direct Primary Law. (H. P. No. 1195)

By Mr. Frost of Berwick: Remonstrance of Gerry Plummer of Berwick and 59 others against same. (H. P. No. 1196)

By Mr. Winn of Lisbon: Remonstrance of Susan H. Quint of Lisbon and certain others against same. (H. P. No. 1197)

By Mr. Martin of Augusta: Remonstrance of Mabel Connor and others of Augusta against same. (H. P. No. 1198)

Legal Affairs

By Mr. Gauvin of Lewiston: Remonstrance of John B. Laverdiere and 39 others against H. D. 91 "An Act to establish a Finance Commission in the City of Lewiston" (H. P. No. 1199)

By the same gentleman: remonstrance of Treffle Helie and 27 others (H. P. No. 1200); remonstrance of Charles Marchand and 40 others (H. P. No. 1201); remonstrance of Albert L. McGraw and 52 others (H. P. No. 1202); remonstrance of Louis J. Martel and 22 others (H. P. No. 1203); remonstrance of Geo. A. Wiseman

and 23 others (H. P. No. 1204); remonstrance of Robert J. Rivard and 37 others against same. (H. P. No. 1205); remonstrance of Osias Tancrole and 28 others (H. P. No. 1206); remonstrance of Henry Lizotte and 55 others (H. P. No. 1207); remonstrance of Alphonse J. Bernard and 45 others (H. P. No. 1208) and remonstrance of Philip McGraw and 72 others against same. (H. P. No. 1209).

Taxation

By Mr. Burnham of Kittery: Remonstrance of John F. Cookson and 51 others against increase in Gasoline Tax above tax in neighboring states. (H. P. No. 1210)

Reports of Committees

Mr. Frost from the Committee on Inland Fisheries and Game on bill An Act relating to the protection of white perch in certain waters (H. P. No. 290) reported that same be placed on file.

Mr. Bump from same Committee reported "Ought not to pass" on bill An Act relating to Closed Time on Deer in certain counties (H. P. No. 446) (Tabled by Mr. Mitchell of Houlton pending acceptance of the report)

Mr. Kinsman from same Committee reported same on bill An Act to close Gulliver Brook in counties of Somerset and Piscataquis to all fishing for two years (H. P. No. 880)

Mr. Flint from same Committee reported same on bill An Act relating to close time on deer in certain counties (H. P. No. 108)

Same gentleman from same Committee reported same on bill An Act relative to shipping wild hares or rabbits beyond the limits of the State (H. P. No. 1090) (H. Doc. No. 321)

Mr. Stone from same committee reported same on bill An Act relating to the bounty on bob-cats (H. P. No. 236)

Mr. Hallett from same Committee reported same on bill An Act relating to close time on deer in certain counties (H. P. No. 111)

Mr. Clarke from the Committee on Salaries and Fees reported same on bill An Act relating to compensation of Selectmen and Assessors (H. P. No. 1144) (H. Doc. No. 362)

Reports read and accepted and sent up for concurrence.

Mr. Fuller from the Committee on Legal Affairs reported "Ought to pass" on bill An Act to authorize the

State Board of Registration and Examination in Optometry to issue a Certificate of Registration to David M. House (H. P. No. 715)

Report read and accepted and the bill ordered printed under the Joint Rules.

Mr. Dunning from the Committee on Salaries and Fees reported same on bill. An Act to provide for clerk hire in the office of Sheriff of the county of Androscoggin (H. P. No. 1111) (H. Doc. No. 333)

Report read and accepted and the bill having already been printed, was read twice under suspension of the rules and tomorrow assigned.

Mr. White from the committee on Appropriations and Financial Affairs on resolve in favor of the Directors of the Port of Portland (H. P. No. 57) reported same in a new draft (H. P. No. 1193) under same title and that it ought to pass.

Same gentleman from same committee on resolve in favor of the Directors of the Port of Portland (H. P. No. 95) reported same in a new draft (H. P. No. 1194) under same title and that it ought to pass.

Mr. Stone from the committee on Inland Fisheries and Game on bill, An Act relating to the taking of smelts, suckers, bait fish, white fish and cusk (H. P. No. 753) with petitions (H. P. No. 754) (H. P. No. 755) (H. P. No. 756) (H. P. No. 757) reported same in a new draft (H. P. No. 1192) under same title and that it ought to pass.

Mr. Decker from the committee on Military Affairs on bill, An Act to amend Chapter 174 of the Public Laws of Maine for 1923, known as the Military Law (H. P. No. 161), reported same in a new draft (H. P. No. 1191) under same title and that it ought to pass.

Mr. Melcher from the committee on Salaries and Fees on bill, An Act relating to the salaries of Deputy Sheriffs of Cumberland county (H. P. No. 386) reported same in a new draft (H. P. No. 1190) under same title and that it ought to pass.

Mr. Hight from the committee on State Sanatoriums on resolve in favor of the Central Maine Sanatorium for maintenance, personal services, repairs and equipment (H. P. No. 563) reported same in a new draft (H. P. No. 1188) under same title and that it ought to pass.

Mr. Johnson from same committee on resolve in favor of Central Maine Sanatorium (H. P. No. 587) reported

same in a new draft (H. P. No. 1189) under same title and that it ought to pass.

Reports read and accepted and the new drafts ordered printed under the joint rules.

Passed To Be Engrossed

S. P. No. 12. An Act to establish the Fort Fairfield Municipal Court.

S. P. No. 92. An Act to amend Section 4 of Chapter 93 of the Private and Special Laws of 1878, as amended by Chapter 40 of the Private and Special Laws of 1919, relating to the time of holding the civil terms of the Municipal Court of the town of Farmington.

S. P. No. 524: An Act to regulate fishing for trout and landlocked salmon in the brooks and streams of the State.

S. P. No. 525: An Act to fix a uniform date for the filing of annual reports of hunters and trappers, camp proprietors and other licensees of the department of Inland Fisheries and Game and to amend Section 3 of Chapter 173 of the Public Laws of 1919, as amended by Chapter 121 of the Public Laws of 1923.

H. P. No. 557: An Act relating to taking herring in the Sheepscot river.

H. P. No. 615: An Act relating to organization of corporations for literary, charitable, educational and other purposes.

H. P. No. 719: An Act to authorize the county of Washington to issue its bonds to the amount of \$475,000 for the purpose of refunding its bonds now outstanding and maturing in the year 1928.

H. P. No. 1174: An Act relative to Provident Loan Company.

H. P. No. 1175: An Act relating to the payment of interest on matured shares in Loan and Building Associations.

H. P. No. 1178: An Act to prohibit ice fishing in Alewife Pond in the town of Kennebunk.

H. P. No. 1179: An Act to regulate fishing in Howard Pond in Hanover in the county of Oxford.

H. P. No. 1180: An Act providing for the propounding and prosecution of a claim by and in the name of the State of Maine against the Federal Government for the recovery of taxes heretofore illegally assessed in the years 1866, 1867 and 1868 against citizens and residents of the State of Maine and paid by them.

H. P. No. 1173: Resolve in favor of

the Aroostook Test Laboratory for salaries and maintenance for years ending June 30, 1926 and June 30, 1927.

Passed To Be Enacted

An Act to change the salary of the Superintendent of the State School for Boys.

An Act relating to allowance for Clerks in the Registry of Deeds of Cumberland County.

An Act providing for and fixing the salaries of the probation officer and assistant probation officer for the County of Cumberland.

An Act to permit ice fishing in Bauneg Beg Pond, so-called, in Sanford and in North Berwick, in the county of York.

An Act to amend Chapter 140 of the Private and Special Laws of 1921, relating to the Farmington Municipal Court.

An Act to amend Section 48 of Chapter 24 of the Revised Statutes, relating to the powers and liabilities of Plantations.

An Act to amend Chapter 39 of the Private and Special Laws of 1915, to fix the salary of the judge and recorder of the Sanford Municipal Court.

An Act to create a Game Sanctuary, in Knox County, to be known as the Knox County Game Preserve.

An Act to increase the salary of the Register of Deeds in the county of Lincoln.

An Act relating to clerk hire in the office of Register of Probate in Knox County.

An Act relating to the revocation of licenses and certificates issued by the Department of Inland Fisheries and Game.

(Tabled by Mr. Bragdon of Perham pending passage to be enacted.)

An Act relating to the county Commissioners of Waldo County.

An Act to extend the open time for smelt fishing in the tide waters of the Penobscot river and its tributaries.

An Act relating to distribution of personal estate

An Act relating to Teachers' Pensions.

An Act to incorporate the Aroostook Real Estate Title Company.

An Act to amend the Charter of the city of Brewer.

An Act to amend the Charter of the city of Hallowell to provide that the municipal year begin on the second Monday of January biennially.

An Act relating to the salary of

the clerk of courts in Washington County.

An Act to amend Section 15 of Chapter 15 of the Private and Special Laws of 1923, relating to the salary of the recorder of the Kennebunk Municipal Court.

An Act to amend Section 38 of Chapter 117 of the Revised Statutes, relating to compensation of Judges of Probate.

An Act to increase the salaries of the Judge and Recorder of the Millinocket Municipal Court.

An Act to amend Sections 11, 12, 13, and 38 of Chapter 6 of the Revised Statutes, relating to Primary elections.

An Act relating to the salary of the sheriff of Sagadahoc County.

An Act to increase the salary of the County Attorney for Knox County.

An Act relating to the salary of the Judge of Probate of Waldo County.

Finally Passed

Resolve in favor of the Maine School for Feeble Minded for maintenance for the fiscal years 1926 and 1927.

Resolve providing for the purchase of the book to be issued by the Maine State Bar Association in commemoration of the adoption of the Constitutions of the United States and of Maine.

Resolve in favor of the Bangor State Hospital for maintenance and other purposes.

Resolve in favor of the Augusta State Hospital for maintenance for the fiscal years 1926 and 1927.

Resolve in favor of Lester D. Eaton Warden of the State Prison.

Additional Bills and Resolves in First Reading (Out of Order)

H. P. No. 291: An Act relating to fishing in Upper Taylor Brook and tributaries and in the East Branch and West Branch of Passadumkeag Stream and Brown Brook in Penobscot and Hancock Counties.

H. P. No. 712: An Act to authorize the City of Calais to issue bonds to refund its bonds maturing in 1926.

H. P. No. 721: An Act to amend and extend an Act entitled "An Act to incorporate the Odd Fellows Home of Maine".

H. P. No. 743: An Act relating to the protection of Game birds.

H. P. No. 1182: An Act amending the Charter of the Belfast Municipal Court.

H. P. No. 548: Resolve in favor of Arthur H. King of Turner, for State Pension.

H. P. No. 773: Resolve providing for a State Pension for Katherine H. Mara of Lewiston.

H. P. No. 776: Resolve providing for a State Pension for Luke Woodard, of Cornville.

H. P. No. 780: Resolve in favor of Robert F. Parlin of Fayette, for State Pension.

H. P. No. 1183: Resolve for State Pension in favor of Rena Cooley.

Orders of The Day

The SPEAKER: Under orders of the day the Chair presents the matters especially assigned for today, the first being bill, an act relating to the salary of the Judge of the Portland Municipal Court, H. P. No. 71, H. D. No. 50, tabled by the gentleman from Bridgton, Mr. Stone, March 12, the pending question being reconsideration of the vote whereby the bill was passed to be engrossed as amended by Senate Amendment A.

Mr. STONE of Bridgton: Mr. Speaker, I move that we reconsider the vote whereby this bill was passed to be engrossed. Mr. Speaker, there is an old saying that it is "the squeaking wheel that gets the grease." I think we are all familiar with the question of the burden of taxation I understand there is a large number of these salary increases still to come before us. I think this is a case where we can "sit on the lid", and I move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Bridgton (Mr. Stone) moves that the bill be indefinitely postponed.

Mr. OAKES of Portland: Mr. Speaker, I introduced this bill in the first place calling for twenty five hundred dollars for the judge of the municipal court of Portland. He is now getting a salary of eighteen hundred dollars, and this would give him an increase of seven hundred dollars. The present salary has stood for a great many years, I think before war times. The history of the situation is this: Our delegation—Cumberland delegation—met some time ago and went over the various bills that were before the House calling for salary increases. We culled them as we thought they should be culled and decided upon those that we thought should be given increases. The recommendation of the delegation went to the

Salaries and Fees committee and they acted on some of our recommendations while some they did not carry through. Among those that the Salaries and Fees committee did recommend was this one of twenty five hundred dollars for the judge of the municipal court of Portland. Later we had another meeting and we were urged to do everything we could to economize. We culled again and we voted that the County Commissioners, who wanted a salary increase and for whom we had previously advocated a salary increase, should not be taken care of. We voted against the County Attorney and the Assistant County Attorney and reduced our requests to two or three small increases; and I think it is no secret to say that we did so with the feeling that it would be in support of the Governor's policy, where the Governor comes from Cumberland County; but we did decide that the judge of the municipal court of Portland should have some increase, and, after many conferences and considerable discussion—many of us thinking that it should be carried to twenty-five hundred dollars and others believing that it should not be so much—we voted that we would recommend an amendment cutting that to twenty-two hundred dollars. In accordance with that vote the amendment was put on the bill in the Senate, and we have before us here the bill with this amendment calling for an increase of four hundred dollars for the judge of the municipal court of Portland,—increase in the salary from eighteen hundred to twenty-two hundred dollars.

The work of this Court involves the entire county of Cumberland, and, first, I might urge upon you the fact that this is a Cumberland county measure entirely. Cumberland county pays the bills. It does not come out of the State funds but entirely out of the county; and the county delegation has voted—and, so far as I knew until the matter was laid on the table, unanimously voted to give this increase of four hundred dollars. As I say, Cumberland county pays the bills.

The judge of this court is in session six days in a week and every week in the year without any vacation. He has a big responsibility and relieves the Superior and Supreme courts of a large amount of work. He goes into session every morning and has to be a man of ability. He

stays in session until noon, I think practically every day, and many days he is in session all the afternoon. This court brought into the county in fees and costs last year \$19,644.60. That is merely from the criminal work. In addition to that he has civil terms every Tuesday and those civil terms last from ten o'clock in the morning, generally all day on Tuesday. The work of this court is important. The jurisdiction has been increased to two hundred dollars from one hundred dollars. A large part of the actions which we bring in our county are brought in this court because we can get speedy results and it saves the Superior Court and the Supreme Court. The man earns twenty-two hundred dollars if any man in Cumberland county earns that amount.

I hope that the recommendation of the committee, which was for twenty-five hundred dollars as cut down to this twenty-two hundred dollars, as recommended by the county delegation, to be paid for by the county, will be sustained by the Legislature.

The SPEAKER: The Chair was in error in its former statement of the situation. It appears from further examination of the papers that this bill was passed to be enacted in the House February 18. The gentleman from Bridgton, Mr. Stone, withdraws his motion to indefinitely postpone, and moves that the House reconsider its action whereby this bill was passed to be enacted, and does so for the purpose of subsequently moving the indefinite postponement of the bill. The Chair will state that the bill as originally enacted in this House appears to increase salary from eighteen hundred dollars to twenty-five hundred dollars, and that Senate amendment A, adopted in the Senate, appears to amend the bill by reducing the amount from twenty-five hundred dollars to twenty-two hundred dollars.

Mr. OAKES: Mr. Speaker, I understand that we must reconsider to join with the Senate or — — —

The SPEAKER: The House has passed this bill to be enacted.

Mr. OAKES: But not as amended.

The SPEAKER: Not as amended. After enactment in the House the bill went to the Senate and was there passed to be engrossed as amended by Senate Amendment A.

Mr. OAKES: Then what is the motion now?

The SPEAKER: If the House de-

sires to concur with the Senate, it should reconsider its action whereby this bill was passed to be enacted and then reconsider its action whereby it was passed to be engrossed, and concur with the Senate in the adoption of Senate amendment A, and then proceed to passage to engrossment. The motion now before the House is to reconsider the action whereby this bill was passed to be enacted. The gentleman from Bridgton, Mr. Stone, then intends to put his motion to indefinitely postpone.

Mr. OAKES: That motion before the House now should be voted on anyway.

The SPEAKER: It will have to be voted on anyway. Is it the pleasure of the House that the action whereby this bill was passed to be enacted be reconsidered?

The motion prevailed.

The SPEAKER: The motion of the gentleman from Bridgton, Mr. Stone, now is that the bill be indefinitely postponed. Is the House ready for the question?

Mr. HALE of Portland: Mr. Speaker, I sincerely hope that the motion of the gentleman from Bridgton (Mr. Stone) will not prevail. The Cumberland county delegation, as the last speaker has told you spend many hours in considering this question and I think we sat on the lid pretty fairly tightly. A member of the Governor's Council was present at a good many of our deliberations and was present at our deliberation on this bill. It was agreed in the delegation that the salary should be cut down to twenty-two hundred dollars from its proposed increase to twenty-five hundred dollars and the amendment in the Senate was offered and adopted in pursuance of the recommendations of the committee; and if the gentleman's motion is lost I shall ask the House to adopt Senate amendment A in concurrence.

Mr. STONE of Bridgton: Mr. Speaker, I was present at this meeting of the Cumberland county delegation, and the reason given to us at that time for this raise in salary was that it took all of his time. It was said that prior to that the Recorder of this court sat on the bench every other day, but that for some reason it was found that this was not legal; that the present judge was doing all the work in this court and that his salary should be raised. That seemed to be agreeable to the delegation, but since then I under-

stand there has been a bill put into the House making it lawful for the Recorder in this court to take turns with the Judge; that he can do that every other day. It seems to me that this takes away the argument in favor of the increase of this salary.

The SPEAKER: Is the House ready for the question?

The question being called for and being on the motion of the gentleman from Bridgton, Mr. Stone, that this bill be indefinitely postponed, a viva voce vote was taken, and the motion failed of passage.

On motion by Mr. Hale of Portland, the House voted to reconsider its action whereby this bill was passed to be engrossed; and on further motion by the same gentleman Senate Amendment A was adopted in concurrence. On further motion by the same gentleman, the bill as amended by Senate Amendment A was passed to be engrossed.

The SPEAKER: The Chair presents House Amendment A to bill, an act relating to the giving of checks and drafts on banks where the maker has not sufficient funds, S. P. No. 93, S. D. No. 41, tabled by Mr. Holmes of Lewiston, March 12, pending the adoption of the amendment, the amendment having been printed as House Document No. 388. The Chair recognizes Mr. Holmes of Lewiston.

Mr. HOLMES: Mr. Speaker, the reason why I asked for time last week was because word came to me that there was certain business men, merchants and banking interests, who had not given the matter consideration before, and they wanted opportunity to look into the matter; and I thought it was proper that all interests of all kinds in the State should be given plenty of opportunity to look into all kinds of proposed legislation. Now I offer House Amendment A, but I intend to make a motion. Mr. Speaker, and this is only prefatory to the motion. House Amendment A would not reach the trouble that these gentlemen—citizens—appeared to fear. Their fear was that the bill if passed as reported by the Legal Affairs committee would take some of the teeth out of the law which is on the Statute books. This House Amendment A only strikes out a few lines which were in the law before this bill was ever introduced into the Legislature, and therefore these gentlemen of whom I speak would not be interest-

ed in that. They have probably looked into the matter, though I have not seen that they have shown any considerable interest in the matter since last week. Therefore, I am now going to move, Mr. Speaker, that the House reject House Amendment A.

Thereupon the motion by Mr. Holmes of Lewiston to reject House Amendment A prevailed.

Mr. HOLMES: Mr. Speaker, I will now yield to the gentleman from Camden, Mr. Dwinal.

Mr. DWINAL: Mr. Speaker, I will ask what is the pending question on the bill.

The SPEAKER: The Chair is endeavoring to ascertain. Apparently the matter now awaits third reading.

On motion by Mr. Dwinal of Camden the bill had its third reading, and was passed to be engrossed.

The SPEAKER: The Chair presents "Resolve, for Doublestacking the State Library," (S. P. 58) (S. D. 35) tabled on March 17th by Mr. White of Bowdoinham pending final passage, and specially assigned for today.

Mr. WHITE of Bowdoinham: Mr. Speaker, I yield to the gentleman from Belfast, Mr. Frost.

Mr. FROST of Belfast: Mr. Speaker and members of the House: It is with some hesitancy that I make an explanation which I believe is timely before final action is taken upon this bill. No one holds the State Librarian in greater respect than myself and I would gladly do anything I possibly could to assist him in the performance of his duties. But we all realize by this time that there is a constant pressure from all sides being brought to bear upon this legislative body to economize. I sometimes feel that we are very much in the position of the colored man who had been convicted of stealing chickens. The time came when the Judge was to pass sentence upon him, and he asked Rastus if he had anything to say before sentence was pronounced. The colored man rose and stood in deep thought for a moment or two and then replied, "No, Judge, except I would like for you to be just as economical as you can." (Laughter.)

Now that is what we are all trying to do; to be just as economical as we can in the expenditure of the

State's funds. Therefore, before we vote on this question I want the House to understand the condition of things with relation to our State Library.

A former Governor, with the consent of his Council, has provided a storehouse in the rear of this building at a cost of \$111,320. There have been provided in that storehouse, shelves, which are in place and are empty at the present time, at a cost of \$4,334.68. Another contract for shelving, amounting to \$359.00, makes a total of \$116,013.68. In this storehouse there are shelves already in place for 125,000 books. Not one single book is on those shelves at the present time. In addition to that there has been provided, in the basement of this building, a fireproof vault to care for the books which are considered to be priceless, at an expense of \$945.53, a vault with a capacity to care for from seven to nine thousand books, with less than two thousand books in that vault at the present time.

One room in the basement of this building, which was formerly used as a paint and repair room, has been given up to the traveling library. I was in that room this morning. It is only about one-third filled. There is room there for several thousand more books.

The idea was to transfer from the State Library to the storage building those books which were considered to be practically obsolete—at least they are inactive at the present time—and many of the volumes have not been taken from the shelves in many years.

Mr. Speaker and members, here is a chance for us to save \$26,000 without really interfering with the smooth and proper working of one of our State Departments.

Therefore, Mr. Speaker, I move you the indefinite postponement of this resolve.

The SPEAKER: The question is on the motion of the gentleman from Belfast, Mr. Frost, that this resolve be indefinitely postponed. Is the House ready for the question?

The question being called for, a viva voce vote was taken and the motion to indefinitely postpone the resolve unanimously prevailed.

The SPEAKER: This being Wednesday, the Chair presents in order

the other matters lying upon the table, the first one being bill, an act relating to abolishment of grade crossings, H. P. 631, H. D. 134, tabled by the gentleman from Portland, Mr. Nichols, March 11, pending third reading.

On motion by Mr. Nichols of Portland the bill was re-tabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair presents Bill, "An Act to Prohibit Plug Fishing on Peabody Pond, in the County of Cumberland." S. P. 77 (S. D. 92), tabled by Mr. Bragdon of Perham, on March 11th, pending assignment for third reading.

Mr. BRAGDON of Perham: Mr. Speaker, I move the indefinite postponement of this bill. And, Mr. Speaker and members of the House, you will find upon the calendar issued this morning four matters tabled by me. These bills are all of a similar nature and with the indulgence of the House I will include all of them within the scope of my remarks, as it is the principle which is involved and not the specific bill, that I object to. I think, however, that this matter should be given a little further thought before passing it on so that the members may get a clearer understanding of the condition that we are drifting into.

I will read the first of these bills, as it is a very short one:

"Section 1. It shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time in Peabody Pond, in the County of Cumberland, by still or plug fishing, so-called."

"Section 2. Whoever violates any provision of this act shall pay a fine of not less than ten or more than thirty dollars and costs for each offense, and one dollar additional for each fish taken, caught, killed or had in possession in violation of this act."

Mr. Speaker, I want first to call the attention of this House to the fact that I have no objection to any reasonable regulation in regard to our fishing privileges. When bills have come up, as they have here before, this winter, prohibiting fishing of all kinds or having a definite time or a time certain or leaving a close time for a part of the season—or on Tuesdays, Thursdays and Saturdays, as was the case—I have raised no objection to it because all

classes of our citizens were used alike. But when an attempt is made to make a distinction in regard to classes, it is an entirely different matter.

Several years ago—I think in the session of 1919—a bill was proposed prohibiting plug fishing over a large area of the State, and owing to the fact that the term “plug fishing” was not in general use at that time, the members very generally assumed that this must be some terribly destructive form of fishing; in the class, perhaps, with dynamiting or something like that, which must be avoided by any means. And so the bill had gone along almost to the point of passing when a particularly brilliant member—or perhaps it would be well to say one less dense than the rest of us—discovered that plug fishing was just the same kind of fishing that your barefooted boys had engaged in since long before the days of Isaac Walton, with a baited hook and line in the little brook that flowed down through the alders and across the back pasture.

And when this discovery was made—if my recollection serves me aright—the bill stood about as much of a chance as that snowball which we have heard so much about in the future abode of that class of our citizens who sit up nights devising schemes for the enactment of some of the kind of legislation that has been proposed to us here this winter. (Laughter and applause.)

I will read from the remarks made on that occasion by the then gentleman from South Portland, now the Senator from Cumberland, Senator Hinckley, as his remarks are just as applicable today as they were then and express my thoughts far better than I can do it in my own language.

Mr. Hinckley says: “As a matter of fact, ninety-nine citizens of the State out of one hundred know no other way of fishing except plug fishing. Fly fishing is a gentleman’s pastime, and I want to say that this Legislature, in my judgment, has no right, and that the citizens who have camps up around Rangeley lake or any other lake, have no right to say that a boy cannot take his fishing line and put an angle worm on his hook and go out and catch a trout. This would be absolutely unfair and improper. If we keep on making rules and regulations in regard to fishing and hunting, it will be neces-

sary to carry around a copy of the Revised Statutes every time we go away from home; and I am not sure, if some of the laws are enacted which are coming up, that it will not be necessary when we are in the house to have a copy of the Statutes with us. We talk about it being the land of freedom and equality, but I say that we are tied down in Maine by more rules and regulations in regard to hunting, fishing and every other conceivable proposition than is any foreign country; and I say to you that I shall oppose any proposition which will say to the boy who lives on the farm, and the boy out in the country, ‘You cannot go to work and cut your alder pole and go out and catch a trout whenever you want to, provided you do it within the time prescribed by the laws of this State.’”

Since that time an attempt has been made, by means of a creeping, insidious policy, to close the brooks and ponds of the State one by one by special legislative enactment, to this kind of fishing, and I submit to you that if plug fishing is such an unmitigated evil, the open, manlike way to handle it is by a clear and squarely based bill covering the whole State, and then if our citizens do not approve of it they will have no trouble in securing the requisite number of names on a referendum petition and trying this matter out instead of attempting to do it in this way by evading the plain provision of the Constitution.

I have been told since I came to these Halls that it was none of my business as it was not a matter which applied to Aroostook county, but I beg leave to differ with that opinion as I claim to be a citizen of the State of Maine, and this is a State-wide policy which will be tried out in Aroostook and every other county of the State just as soon as the opportunity arises.

I have also been told by the sponsor of one of these bills that the reason for its introduction was that some people had gone up there and built cottages on the shores of that pond and they did not want the boys to catch the fish. And I have no doubt that that is true—certainly a laudable reason for the enactment of such legislation!

Do you, who know boys, believe that they will catch any less fish if we enact such legislation as this? I do not. I feel that they will go

down there and stand around and wait until they are sure no warden is present, and then they will fish, and if they get caught at it, and this fine of thirty dollars is imposed, and they board it out in jail because they cannot raise the money to pay that fine, they will have a start made—a beautiful start—on a criminal career. (Applause)

A little later we are going to be called upon to consider a bill intended for the redemption of criminals created in such ways as this. Would it not be better to call a halt on the enactment of such legislation that can only breed a contempt for law in the minds of the rising generation?

My attention has also been called to the fact that this is a unanimous report of the Committee and as such should not be disregarded—I believe you have just turned down a unanimous report of the Committee—but more than one member of that Committee has assured me that if anyone had appeared against these bills, the report of the Committee would have been different, and I think you will agree with me that many of those who might have opposed the bill are not the class of our citizens who follow up the doings of the Maine State Legislature every morning in the Kennebec Journal, and in all probability they do not know to this day that any such legislation has been proposed, and perhaps will not know it until sometime next summer when a warden will go up there and rope in some of those boys and take them into Court. For we know from the history of the enforcement of our fish and game laws that these boys are considered an easy mark, and it is not an unusual thing for a warden to attempt to cover himself all over with glory by making such arrests as that, when a summer resident, a fly fisherman or a real hard-boiled poacher up in the woods somewhere, would not attract his attention.

I think it would be well to consider the fact, too, that since these bills have been lying on the table the same Committee has reported "Ought not to Pass," on other bills of a similar nature.

Now, this is just the same kind of fishing that you used to engage in when you were a boy and did not have a ten dollar bill to invest in even a high priced fly fishing outfit, and sometimes considered yourself lucky if you had a ten-cent piece to buy a cheap line with a hook thrown

in; and you tied that line to your alder pole and baited your hook with an angle worm and fished; and you did not catch much, unless it happened to be Sunday—which it frequently was—and you caught the greater part of that after you got home. (Laughter) You did not get fish enough to interfere with the rights of the summer residents, the fly fishermen, or anybody else. You hardly inconvenienced or annoyed the fish themselves. But you did get more solid, unalloyed enjoyment out of it than you ever did out of anything else in the whole course of your young life, up to that night when you first got your courage up to ask that little girl with the two braids of yellow hair and the calico apron if you could see her home from the spelling match. (Laughter and applause)

Oh yes, you were a boy once yourself, in spite of the story that is being told by that bald head which you are carrying around today and that wise and owlish look and statesmanlike bearing that you have been trying so hard to get by with down here at the Legislature (Laughter); and I want you to pause for a moment to think about it, and when this vote is taken I hope that you will do unto the boys of the present generation as you would that men do unto you, and vote the indefinite postponement of these four bills. (Applause)

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Perham, Mr. Bragdon, that an act closing Heald Brook and Alder Brook to fishing except with artificial flies, be indefinitely postponed. As many as are in favor of that motion will say aye, as many as are opposed will say no.

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

The SPEAKER: The Chair presents bill, an act relating to fishing in certain waters in Franklin and Oxford counties, H. P. 317, H. D. 219, tabled by Mr. Bragdon of Perham, March 11, pending assignment for third reading.

Mr. BRAGDON of Perham: Mr. Speaker, I make the same motion in regard to the other three bills.

Mr. FLINT of Monson: Mr. Speaker, I understood that we were acting first on the Peabody Pond matter.

The SPEAKER: The Chair was in error. The Chair overlooked the Peabody Pond bill, and put the motion on the Heald Brook and Alder Brook bill. The Chair got down one item too far on the calendar.

On motion by Mr. Flint of Monson, the House voted to reconsider its action whereby it indefinitely postponed bill, an act closing Heald Brook and Alder Brook to fishing except with artificial flies.

The SPEAKER: The Chair will again put the motion that the gentleman from Perham, Mr. Bragdon, intended to put on the act to prohibit plug fishing in Peabody Pond. As many as are in favor of the indefinite postponement of that bill will say aye; those opposed no.

A viva voce vote being taken the bill, an act to prohibit plug fishing in Peabody Pond was indefinitely postponed.

The SPEAKER: The Chair now presents bill, an act closing Heald Brook and Alder Brook to fishing except with artificial flies; and the gentleman from Perham, Mr. Bragdon, moves that this bill be indefinitely postponed. Is the House ready for the question?

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

The SPEAKER: The Chair presents bill, an act relating to fishing in certain waters in Franklin and Oxford counties; and the gentleman from Perham, Mr. Bragdon, moves that this bill be indefinitely postponed.

On motion by Mr. Melcher of Rumford, the bill was re-tabled.

The SPEAKER: The Chair presents bill, "An Act to Make Legal the Sale of Cider which has been so Treated as to Prevent Fermentation and which does not Contain one-half of one per cent of Alcohol by Volume," tabled on March 11th by the gentleman from Portland, Mr. Nichols, pending passage to be enacted.

On motion by Mr. Nichols of Portland, the House voted to reconsider its action whereby this bill was passed to be engrossed and the same gentleman offered the following amendment and moved its adoption.

"House Amendment B to House

Document No. 45, An Act to Make Legal the Sale of Cider which has been so Treated as to Prevent Fermentation and which does not contain one-half of one per cent of Alcohol by Volume. Amend said Act by striking out in said section one the following words wherever they appear in said section and in section eighteen, 'the container of which shall bear a label placed over the stopper or bung of said container plainly stating that the product contained therein is cider and the manner in which said cider has been treated to prevent fermentation;' and by striking out in section two of said act the following words wherever they appear in said section and in section twenty-one, 'the container of which shall bear a label placed over the stopper or bung of said container plainly stating that the product contained therein is cider and the manner in which said cider has been treated to prevent fermentation.'"

Mr. NICHOLS of Portland: Mr. Speaker and gentlemen, undoubtedly the object of introducing this bill was to allow the farmers to sell cider containing less than one-half of one per cent alcohol and when treated to prevent fermentation.

The bill, as passed to be enacted, with the amendment thereto, stated that the bung or stopper of the container that is sold should be labeled "cider," and "furthermore prohibited the sale of cider by the wording of the bill. Now, this amendment strikes out wherever the words appear that the bung or label shall contain the word "cider," and allows the farmer to sell cider containing less than one-half of one per cent alcohol and when treated so as to prevent fermentation.

That, I understand, is the object of the bill, and this amendment is to accomplish that object. It does not allow cider to be sold for tipping purposes or for a beverage, but merely to allow the farmer to sell cider from his roadside market without having it labeled "cider."

This bill as amended meets the approval of the Department of Agriculture, the temperance people, and I believe is just what the farmers want.

Mr. CUMMINGS of Portland: Mr. Speaker, did I understand correctly that the amendment offered by the gentleman from Portland, Mr.

Nichols, merely cut out the amendment as offered and brought the bill back to its original form? Is there any other amendment that he offers?

The SPEAKER: The gentleman from Portland (Mr. Nichols) may answer through the Chair.

Mr. NICHOLS: I think not. That was the intention.

Mr. CUMMINGS: Then I move that the bill lie on the table.

A viva voce vote being taken, the motion to table failed of passage.

The SPEAKER: The question is on the motion of the gentleman from Portland, Mr. Nichols, that Amendment B be adopted.

A viva voce vote being taken, amendment B was adopted, and on motion by Mr. Nichols of Portland the bill as amended by House Amendments A and B was passed to be engrossed.

The SPEAKER: The Chair presents bill, an act relating to fishing in portions of Moose River, H. P. 877, H. D. 209, tabled by Mr. Bragdon of Perham, March 11, pending passage to be enacted.

Mr. BRAGDON of Perham: Mr. Speaker, I move that the matter be indefinitely postponed.

Mr. PIPER of Jackman: Mr. Speaker, I move that the bill lie on the table.

A viva voce vote being doubted,

A division of the House was had, Forty-two voting in the affirmative and 82 in the negative, the motion to table failed of passage.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, made the motion that the bill be indefinitely postponed, and that question is now before the House. Is the House ready for the question?

Mr. FLINT of Monson: Mr. Speaker, I move that we take a rising vote.

A division of the House being had,

Eighty-eight voting in the affirmative and 11 in the negative, the motion to indefinitely postpone prevailed.

The SPEAKER: The Chair presents bill, an act relating to the Penobscot Tribe of Indians, H. P. 937, H. D. 237 tabled by Mr. Bartlett of Hanover March 11, pending passage to be enacted.

Mr. LOWELL of Lincoln: Mr.

Speaker, I move you that this bill have its final passage.

Mr. STITHAM of Pittsfield: Mr. Speaker, there is something in that bill that I would like to look up, and I would like to have it tabled and assigned for tomorrow.

Thereupon the bill was re-tabled and especially assigned for tomorrow.

The SPEAKER: The Chair presents report of the committee on Salaries and Fees "ought not to pass" on bill, an act relating to salaries of Superior Court Justices, S. P. 83, tabled by Mr. Hale of Portland, March 12, pending acceptance of the report.

On motion by Mr. Hale of Portland, it was voted to accept the report.

The SPEAKER: The Chair presents report of the committee on Public Utilities, "ought to pass" on bill, an act relating to the Portland Gas Light Company, S. P. 95, S. D. 43, tabled by Mr. Gilmour of Westbrook, March 12, pending acceptance of the report.

On motion by Mr. Gilmour of Westbrook, the report was re-tabled and especially assigned for Tuesday next.

The SPEAKER: The Chair presents report of the committee on Taxation on bill, an act relating to certain exemptions, H. P. 730, H. D. 175, tabled by Mr. Boody of Windham, March 12, pending acceptance of the report.

On motion by Mr. Boody of Windham the matter was re-tabled.

The SPEAKER: The Chair presents report of the committee on Taxation "ought not to pass" on resolve amending the Constitution providing no tax on incomes and inheritances, H. P. 29, H. D. 11, tabled by Mr. Spear of Portland, March 12, pending acceptance of the report.

Mr. SPEAR of Portland: Mr. Speaker, for the purpose of offering an amendment for your consideration, I move that the bill be substituted for the report, and if my motion prevails, I will offer House Amendment A to House Document 11, and then move that the same be printed and tabled.

The SPEAKER: The House hears the motion of the gentleman. Is it

the pleasure of the House to substitute the bill for the report for the purpose stated?

The motion prevailed.

The SPEAKER: The gentleman from Portland, Mr. Spear, presents House Amendment A and moves its adoption. The Chair is advised that it will be necessary to suspend the rules and give one reading before the amendment is offered, and the gentleman from Portland, Mr. Spear, withdraws his motion, and moves that the rules be suspended and that this resolve have its first reading at this time.

Thereupon the resolve received its first reading, and Mr. Spear of Portland offered House Amendment A.

On motion by Mr. Spear five hundred copies of House Amendment A were ordered printed, and the amendment was tabled, pending adoption.

The SPEAKER: The Chair presents majority report, "ought not to pass" and minority report, "ought to pass" of committee on Judiciary on resolve amending the Constitution to prohibit appropriations for denominational, sectarian, parochial or religious institutions and purposes, House Paper 293, House Document 59, tabled by Mr. Wing of Auburn, March 13, pending acceptance of either report.

On motion by Mr. Wing of Auburn, the above reports were re-tabled.

The SPEAKER: The Chair presents report of the committee on Judiciary, "ought not to pass" on bill, an act amending the Constitution referring to education, H. P. 385, H. D. 78, tabled by Mr. Stitham of Pittsfield, March 13, pending acceptance of the report.

On motion by Mr. Stitham of Pittsfield, this matter was re-tabled.

The SPEAKER: The Chair presents report of the committee on Legal Affairs, "ought not to pass" on bill, an act to enlarge site of Little River Pine Grove Cemetery at Lisbon Falls, H. P. 718, tabled by Mr. Winn of Lisbon, March 13, pending acceptance of the report.

On motion by Mr. Winn of Lisbon, the report ought not to pass was accepted.

The SPEAKER:—The Chair presents bill, an act relating to elections and permitting the use of ballot boxes with devices for register-

ing and endorsing ballots, S. P. 114, S. D. 48, tabled by Mr. Holmes of Lewiston, March 13, pending third reading.

Mr. HOLMES of Lewiston: Mr. Speaker, I yield to the gentleman from Portland, Mr. Nichols.

On motion by Mr. Nichols of Portland, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents bill, an act relating to conveyances not effectual against others unless recorded, H. P. 1077, H. D. 308, tabled by Mr. Holmes of Lewiston, March 13, pending third reading.

Mr. HOLMES of Lewiston: Mr. Speaker, I yield to the gentleman from Portland, Mr. Nichols.

On motion by Mr. Nichols of Portland, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents resolve to appropriate moneys for the payment of certain claims and departmental overdrafts, S. P. 527, S. D. 219, tabled by Mr. Hale of Portland, March 17, pending first reading.

On motion by Mr. Hale of Portland, the resolve received its first reading; and on further motion by the same gentleman the resolve was tabled pending assignment for second reading.

The SPEAKER: The Chair presents resolve in favor of the Augusta State Hospital for renovation of steam plant, S. P. 468, S. D. 179, tabled by Mr. Norwood of Warren, March 17, pending passage to be engrossed.

On motion by Mr. Norwood of Warren, the resolve was re-tabled and especially assigned for tomorrow.

The SPEAKER: The Chair presents resolve for paying the county taxes for 1925, H. P. 1176, H. D. 397, tabled by Mr. Thompson of Rockland, March 17, pending assignment for second reading.

Mr. THOMPSON of Rockland: Mr. Speaker, I had this tabled yesterday for the benefit of the county of Knox. I now offer Amendment A to each of these resolves, and move its adoption.

"House Amendment A to House Paper 1176. House Document 397,

Resolve for the Laying of County Taxes for the Year 1925: Amend said Resolve, so far as it pertains to the County of Knox, by striking out the words, 'Sixty-five Thousand' and the figures '65,000' and substituting in place thereof the words 'Fifty-three Thousand and the figures '53,000, so that said Resolve shall read, so far as same pertains to Knox County, as follows: 'Knox County Fifty-three Thousand Dollars, \$53,000.00.'"

Thereupon House Amendment A was adopted and tomorrow assigned for second reading of the resolve.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I move that the resolve lie on the table.

The SPEAKER: The matter is assigned for tomorrow morning for its second reading. It could be tabled tomorrow if necessary. The Chair would make this statement regarding the county taxes: This bill must either be passed and be in the hands of the various county commissioners in the month of March or have certain amendments.

The SPEAKER: The Chair presents resolve for laying the county taxes for 1926, H. P. 1177, H. D. 398, tabled by Mr. Thompson of Rockland, March 17, pending assignment for second reading.

Mr. Thompson of Rockland offers House Amendment A and moves its adoption, as follows:

"House Amendment A to House Paper 1177, House Document 398, Resolve, for the Laying of County Taxes for the Year 1926: Amend said Resolve, so far as it pertains to the County of Knox, by striking out the words 'Sixty-five Thousand' and the figures '65,000' and substituting in place thereof the words 'Fifty-three Thousand' and the figures '53,000' so that said Resolve shall read, so far as same pertains to Knox County, as

follows: 'Knox County Fifty-three Thousand Dollars \$53,000.00.'

Thereupon House Amendment A was adopted and tomorrow assigned for second reading of the resolve.

The SPEAKER: The Chair presents bill an act relating to clerk hire in the office of the Clerk of Courts for Knox County, H. P. 21, H. D. 79, tabled by Mr. Thompson of Rockland, March 17, pending passage to be enacted.

On motion by Mr. Thompson the bill was passed to be enacted.

The SPEAKER: The Chair presents resolve appropriating money to rebuild ore pier of the Gardiner-Randolph drawbridge, H. P. 464, H. D. 267, tabled by Mr. Wing of Auburn, March 17, pending final passage.

On motion by Mr. Wing of Auburn the resolve was re-tabled.

Mr. Wing of Auburn presented the following order, out of order, and moved its passage:

Ordered that 1000 extra copies of the stenographic legislative record containing the proceedings in detail of the House, March 17th, 1925, be printed for the use of the House.

The order received passage.

The SPEAKER: Is there further business under orders of the day? Can any matters be taken off that were tabled today?

There being no response, the Clerk read the notices.

On motion by Mr. Briggs of Littleton,

Adjourned until tomorrow morning at ten o'clock.